HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated Nainital the 19th June, 2006

Bail Application No. 358 of 2006

Order on the bail application of accused.

CRIMINAL SIDE

Trilok Singh Adhikari
S/o Sri Mohan Singh Adhikari
R/o Padmawati Colony
Kashipur, P.S. Kashipur
District U.S. Nagar ……..Applicant

Versus

State of Uttaranchal …….. Opposite Party

In Case Crime No. 1565 of 2005
U/s 302/34 I.P.C.
Police Station – Kashipur
District – U. S. Nagar

Hon'ble J.C.S. Rawat, J.

Heard Sri Dharam Veer Sharma senior counsel for the applicant and learned AGA for the State.

Perused the record. This is the second bail application. The first bail application was dismissed when the matter was under investigation. The second bail application has been moved when Manohari Singh-the father of the deceased, Sri Ravinder Singh-brother, Mohd. Ameer-an eye witness, Durga Prashad, Smt.Murti Devi-mother of the deceased and Smt. Vinesh Chaudhary-wife of the deceased were examined before the trial court. They were declared hostile. They have stated in their deposition that the accused persons had not committed the murder of the deceased. It was also pointed out in the earlier bail application that there was no criminal history against the applicant. The prosecution has admitted this fact in the counter affidavit.

Considering the facts and circumstance of the case in totality, it is a fit case for bail at this stage.

Let the accused-applicant be released on bail on executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of Magistrate concerned.

Dated 19.06.2006 **(J.C.S. Rawat, J.)**

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